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SENT TO: Amembassy BONN 1990

RPTD INFO:

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USAREUR HEIDELBERG

Bonn's 2176 rptd Berlin 457.

Department has now received full text Kroeger article on legal status Berlin and is making analysis thereof which will be forwarded to Embassy and USBER upon completion. Meanwhile we agree with Embassy it would be inappropriate for Allies to issue at this time any formal statement which appears to be attempt rebut Kroeger thesis, particularly since article has apparently attracted relatively little attention Western press. Such action might tend create impression of concern or uneasiness our part over firmness our rights and legal position in Berlin and could give rise to feeling in public mind that our rights were in some way being effectively challenged. We think our most effective posture would be to take no notice of article beyond responding to any inquiries on subject to general effect that article, as typical of items published in QUOTE Deutsche Aussenpolitik UNQUOTE, quite clearly constitutes basically Communist propaganda statement rather than objective legal study and that in our view it hardly merits

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Drafted by:
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1/29/58
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JAN 30 1958 P.M. *Q571*
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[serious reading or comment.]

Should there be further developments which would lead Embassy or Mission to feel that statement on subject should be made either unilaterally or tripartitely, interim guidance could be taken from memorandum enclosed A-465 November 14, 1955 and Kommandatura study DK/AHC(55)19 enclosed Berlin's despatch 705 March 10, 1955. ~~and/or despatch appropriate to this communication May 27, 1952 through Reinhardtskratzenbach and subsequent reaffirmations~~

Hester

ACTING

(HJ)

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